

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, March 22, 2022

6:00 PM

JOINT CITY COUNCIL & SUCCESSOR AGENCY MEETING

Zoom Meeting ID: 886 5070 3562

Zoom Passcode: 192826 / Zoom Phone #: 1-669-900-6833

City Council

Mayor Dion Bailey
Vice Mayor Alexander Walker-Griffin
Council Member Dan Romero
Council Member Chris Kelley
Council Member Tiffany Grimsley

Dante Hall, City Manager
Patrick Tang, City Attorney
Lori Martin, City Clerk

To view webcast of meetings, live or on demand, go to the City's website at www.ci.hercules.ca.us

I. SPECIAL MEETING - CLOSED SESSION – 6:00 P.M. CALL TO ORDER - ROLL CALL

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

III. CONVENE INTO CLOSED SESSION

The Hercules City Council will meet in Closed Session regarding the following:

1. [22-106](#) **Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION** - Title: City Manager (Discuss Annual Evaluation Per Employment Agreement)

IV. REGULAR MEETING – 7:00 P.M. CALL TO ORDER - ROLL CALL

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

VI. PLEDGE OF ALLEGIANCE

VII. MOMENT OF SILENCE

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

1. [22-104](#) **Introduction of New City Clerk/PIO, Lauren Berges**
2. [22-107](#) **Proclamation Recognizing April 3rd - 9th, 2022 as National Library Week in the City of Hercules**

Attachments: [Proclamation - National Library Week 2022.docx](#)

IX. AGENDA ADDITIONS/DELETIONS

X. PUBLIC COMMUNICATIONS

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed as follows:

The public may log into the Zoom meeting (refer to agenda cover for Zoom login information) and provide their public comment (3 minute time limit). When the public comment period is open for the item you wish to speak on, use the "raise hand" feature in Zoom (or press *9 if connecting via phone audio only) at the time the Mayor calls for public comment. Please wait your turn and once you are brought into the meeting, state your name and city of residence for the record.

For additional alternatives to providing public comments please refer to the Notice of Important Instructions on how to Participate and Watch the Hercules City Council Meeting on the front page of the agenda.

All public comments are allowed up to 3 minutes to relay their message or concern. A limit of 30 minutes will be devoted to taking public comment at this point in the agenda. If any speakers remain at the conclusion of the initial 30 minute period, time will be reserved at the conclusion of the meeting to take the remaining comments.

XI. PUBLIC HEARINGS

XII. CONSENT CALENDAR

1. [22-103](#) **Minutes**
Recommendation: Approve the regular City Council meeting minutes of March 8, 2022.
Attachments: [Minutes - 030822 - Regular.pdf](#)
2. [22-102](#) **Emergency Declaration Extension**
Recommendation: Adopt a Resolution extending the Declaration of Local Emergency by 30 days to May 1, 2022.
Attachments: [Staff Report - Emergency Declaration Extension - 032222.docx](#)
[Attach 1 - Resolution - Emergency Declaration Extension.docx](#)
3. [22-109](#) **Acceptance of the Civic & Sycamore Pedestrian Enhancement Project**
Recommendation: Adopt a Resolution accepting the Civic & Sycamore Pedestrian Enhancement Project as complete for a total amount of \$98,943 and authorizing the filing of the Notice of Completion with the Contra Costa County Recorder's Office.
Attachments: [Staff Report - Civic & Sycamore Pedestrian Enhancement Project Acceptance.docx](#)
[Attach 1 - Resolution Civic & Sycamore Pedestrian Enhancement Project Acceptance.doc](#)
[Attach 2 - Notice of Completion - Civic & Sycamore Pedestrian Enhancement Project Acceptance.docx](#)
[Attach 3 - Exhibit Civic Sycamore Pedestrian Enhancement Project.pdf](#)
4. [22-110](#) **Acceptance of the Turquoise Drive Rehabilitation and Traffic Calming Project and Foxboro Sewer Access Road Repair Project**
Recommendation: Adopt a Resolution accepting the Turquoise Drive Rehabilitation and Traffic Calming Project and Foxboro Sewer Access road Repair contract with McGuire & Hester as complete for a total amount of \$717,148 and authorizing the filing of the Notice of Completion with the Contra Costa County Recorder's Office.
Attachments: [Staff Report - Turquoise Pavement Rehab Project Acceptance.docx](#)
[Attach 1 - Resolution Turquoise Pavement Rehab Project Acceptance.doc](#)
[Attach 2 - Turquoise Pavement Rehab Project NOC.docx](#)
[Attach 3 - Turquoise Location Map.pdf](#)
[Attach 4 - Foxboro Sewer Access Path Exhibit.pdf](#)

5. [22-111](#) **Contract Amendment for the Design of the Willow/Palm Pedestrian Improvement Project**
Recommendation: Adopt a Resolution approving Contract Amendment No. 1 in the amount of 39,228 to complete the design of the Willow/Palm Pedestrian Improvement Project for a total, not to exceed contract amount of \$113,428.

Attachments: [Staff Report - Willow Palm Contract Amendment Final Design.docx](#)
[Attach 1 - Resolution - Willow Palm Final Design Amendment.doc](#)
[Attach 2 - 20-001-A1 - Bellecci & Associates Inc. - Palm Willow Amendment 1 .pdf](#)

6. [22-114](#) **Resolution Approving the Continuance of an Annual Parcel Assessment to be Adopted by the County Flood Control District for the Contra Costa Clean Water Program for FY 2022-23**
Recommendation: Approve a Resolution approving the continuance of the parcel assessment rate of \$35.00 per Equivalent Runoff Unit (ERU) for FY 2022-2023 and requesting the contra Costa County Flood Control and Water Conservation District for the Contra Costa Clean Water Program for FY 2022-23.

Attachments: [Staff Report - 2021-2022 Annual Stormwater Assessment.docx](#)
[Attach 1 - Resolution - 2021-2022 Annual Stormwater Assessment.docx](#)
[Attach 2 - Request to MC for ERU Resolutions \(1\).pdf](#)
[Attach 3 - CCCWP FY 2022-23 Population Methodolgy.pdf](#)

XIII. SUCCESSOR AGENCY - DISCUSSION AND/OR ACTION ITEMS

1. [22-101](#) **Approval of Preliminary Official Statement for the Successor Agency to the Hercules Redevelopment Agency 2022 Tax Allocation Refunding Bonds and Disclosure Procedures, and Related Actions**
Recommendation: Adopt a Resolution of the Successor Agency to the Hercules Redevelopment Agency approving the form of a Preliminary Official Statement to deem final under Rule 15c2-12, approving disclosure procedures, and authorizing certain other actions in connection therewith.

Attachments: [Staff Report - 2022 TABs POS_v1.docx](#)
[Attach 1 - Resolution.docx](#)
[Attach 2 - Preliminary Official Statement.docx](#)
[Attach 3 - Disclosure Policies and Procedures for City of Hercules.docx](#)

XIV. DISCUSSION AND/OR ACTION ITEMS

1. [22-112](#) **Spring 2022 Development Site and Capital Improvement Update**
Recommendation: Receive report, discuss, and provide direction, if any.

Attachments: [Staff Report - Development and Capital Update 03222022.docx](#)
 [Attach 1 - City of Hercules CIP New Draft Rev MR.pdf](#)
 [Attach 2 - Hercules RITC Council Presentation 2022_03_22_FINAL \(1\).pdf](#)
 [Attach 3 - HerculesRITC Funding Matrix 20220316_FINAL.pdf](#)

2. [22-113](#) **Review of the Hercules Communications Assessment Report and Discussion**
Recommendation: Receive and provide comment on the communications assessment report prepared by Tripepi Smith on the City's existing communication efforts and recommendations for improvement. After comments from the City Council and public, staff intends to use this assessment and recommendations to develop the City's first strategic communications plan.

Attachments: [Staff Report - 3-22-22 - City of Hercules Express Communications Assessment Report.docx](#)
 [Attach 1 - Hercules-Express-Comms-Assessment FINAL.pdf](#)
 [Attach 2 - 2022-Hercules Express Comms Assessment Findings FINAL.pdf](#)

3. [22-108](#) **Update on Returning to In-Person Hybrid Meetings**
Recommendation: Receive report, discuss, and provide direction to staff.

Attachments: [Staff Report - Hybrid Meetings - Return to In Person Mtgs.docx](#)
 [Attach 1 - CCCounty Recommendations - In person meetings.pdf](#)
 [Attach 2 - 022222 Staff Report.pdf](#)
 [Attach 3 - 121421 Staff Report.pdf](#)
 [Attach 4 - 092821 Staff Report.pdf](#)

XV. PUBLIC COMMUNICATIONS

This time is reserved for members of the public who were unavailable to attend the Public Communications period during Section X of the meeting, or were unable to speak due to lack of time. The public speaker requirements specified in Section X of this Agenda apply to this Section.

XVI. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY ANNOUNCEMENTS, COMMITTEE, SUB-COMMITTEE AND INTERGOVERNMENTAL COMMITTEE REPORTS AND FUTURE AGENDA ITEMS

This is the time for brief announcements on issues of interest to the community. In accordance with the provisions of the Brown Act, matters which do not appear on this agenda but require City Council discussion may be either (a) referred to staff or other resources for factual information or (b) placed on a future meeting agenda.

XVII. ADJOURNMENT

The next Regular Meeting of the City Council will be held on Tuesday, April 12, 2022 at 7:00 p.m. in the Council Chambers.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at www.ci.hercules.ca.us and can receive e-mail notification of agenda and staff report postings by signing up to receive an e-notice from the City's homepage. Agendas and staff reports may also be obtained by contacting the Administrative Services Department at (510) 799-8215

(Posted: March 17, 2022)

THE HERCULES CITY COUNCIL ADHERES TO THE FOLLOWING POLICIES, PROCEDURES AND REGULATIONS REGARDING CITY COUNCIL MEETINGS

1. **SPECIAL ACCOMODATIONS:** In compliance with the Americans with Disabilities Act, if you require special accommodations to participate at a City Council meeting, please contact the City Clerk at 510-799-8215 at least 48 hours prior to the meeting.
2. **AGENDA ITEMS:** Persons wishing to add an item to an agenda must submit the final written documentation 12 calendar days prior to the meeting. The City retains the discretion whether to add items to the agenda. Persons wishing to address the City Council otherwise may make comments during the Public Communication period of the meeting.
3. **AGENDA POSTING:** Agendas of regular City Council meetings are posted at least 72 hours prior to the meeting at City Hall, the Hercules Swim Center, Ohlone Child Care Center, Hercules Post Office, and on the City's website (www.ci.hercules.ca.us),
4. **PUBLIC COMMUNICATION:** Persons who wish to address the City Council should complete the speaker form prior to the Council's consideration of the item on the agenda.

Anyone who wishes to address the Council on a topic that is not on the agenda and is relevant to the Council should complete the speaker form prior to the start of the meeting. Speakers will be called upon during the Public Communication portion of the meeting. In accordance with the Brown Act, the City Council may not take action on items not listed on the agenda. The Council may refer to staff any matters brought before them at this time and those matters may be placed on a future agenda.

In the interests of conducting an orderly and efficient meeting, speakers will be limited to three (3) minutes.

Anyone may also submit written comments at any time before or during the meeting.

5. **CONSENT CALENDAR:** All matters listed under Consent Calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Council or a member of the public prior to the time the City Council votes on the motion to adopt.

6. **LEGAL CHALLENGES:** If you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered at, or prior to, the meeting. Actions challenging City Council decisions shall be subject to the time limitations contained in Code of Civil Procedure Section 1094.6.

